


THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 

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UNITED STATES PATENT AND TRADEMARK OFFICE

FAXED

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Judge Jameson Lee)

APR 12 2000

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

ANDREW H. CRAGG, and MICHAEL D. DAKE

Junior Party
(Application 08/461,402)

v.

ERIC C. MARTIN,

Junior Party
(Patent No. 5,575,817),

v.

THOMAS J. FOGARTY, JAY A. LENKER,
TIMOTHY J. RYAN and KIRSTEN FREISLINGER,

Senior Party
(Application 08/463,836)

Patent Interference No. 104,192

Re-Declaration

Consistent with the decision (Paper No. 130) granting party
Fogarty's preliminary motion 12 attacking the benefit accorded

Interference No. 104,192
Cragg v. Martin v. Fogarty

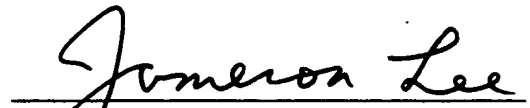
party Cragg's involved application, this interference is herein ,
re-declared as follows:

1. Party Cragg's involved application 08/461,402 is no
longer accorded the benefit of European application EP94400284.9 ,
and EP 94401306.9.

2. Party Cragg's involved application is accorded the
benefit of U.S. application 08/317,763, filed October 4, 1994,
now Patent No. 5,609,627, issued on March 11, 1997.

3. Party Cragg is now junior party in this interference,
as is party Martin, and party Fogarty is now senior party.

Date: 4/12/2000


Jameson Lee
Administrative Patent Judge

Interference No. 104,192
Cragg v. Martin v. Fogarty

By Facsimile

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